

**Regulatory Affairs Department**



June 23, 2008

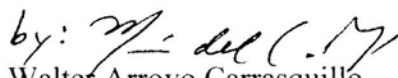
Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

**Re: CC Docket 96-128 – Petition for Waiver**

Dear Ms. Dortch:

Pursuant to Section 1.3 of the rules of the Federal Communications Commission ("FCC"), 47 C.F.R. Section 1.3, Puerto Rico Telephone Company, Inc. is requesting a temporary waiver of the Commission's audit requirement contained in Section 64.1320, the original of which is enclosed. Puerto Rico Telephone Company, Inc. needs a brief extension of time until September 1, 2008 to complete the audit and file its audit report.

Respectfully submitted,

by:   
Walter Arroyo Carrasquillo  
Director

MCG/lnl

Enclosure

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of Implementation	)	
of the Pay Telephone Reclassification	)	
and Compensation Provisions of the	)	CC Docket No. 96-128
Telecommunications Act of 1996	)	

**Petition for Waiver**

Pursuant to Section 1.3 of the Federal Communications Commission's rules<sup>1</sup>, the Puerto Rico Telephone Company ("PRT") hereby requests a temporary waiver of the Commission's audit requirement contained in Section 64.1320. PRT needs a brief extension of time until *September 1, 2008* to complete the audit and file its audit report. As explained below, there is good cause for granting this Petition, and the Petition is in the public interest.

**I. DISCUSSION**

PRT is a Completing Carrier within the meaning of Section 64.1300 of the Commission's rules and is therefore required on an annual basis to complete by July 1<sup>st</sup> an audit of its payphone compensation tracking system, pursuant to Section 64.1320. PRT has selected an independent third party auditor, and the audit process is underway. Nonetheless, PRT anticipates that it may take an additional two months for PRT and the auditors to complete the documentation and testing, analyze the results, and prepare a final report for the Commission.

Section 1.3 allows the Commission to waive its rules where "good cause" exists. The Commission has concluded that good cause exists where "special circumstances warrant a

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<sup>1</sup>47 C.F.R. § 1.3.

deviation from the general rule, such deviation serves the public interest, and waiver would be consistent with the principles underlying the rule.”<sup>2</sup> Such good cause exists here.

PRT has diligently worked to comply with the Commission’s compensation requirements and has implemented a payphone compensation tracking system. However, given the timing of PRT’s conclusion of a detailed evaluation of its call tracking system, the Company does not have sufficient time to complete the audit by July 1, 2008. As noted above, PRT has engaged auditors and is working jointly with them to complete a high quality audit as expeditiously as possible.

No party will be harmed by the delay in completion of the audit because PRT’s compensation tracking system is already in place. Moreover, since the effective date of these rules, PRT has never received a dispute or claim by a payphone service provider regarding payphone compensation. Thus, the public interest is best served by allowing PRT and its auditors adequate time to complete their tasks and present the most comprehensive and reliable information possible to the Commission.

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<sup>2</sup> *Northeast Cellular Tel. Co., L.P. v. FCC*, 897 F2d 1164, 1166 (D.C. Cir. 1990) (citing *WAIT Radio v. FCC*, 418 F2d 1153, 1159 (D.C. Cir. 1969)).

## II. CONCLUSION

For the foregoing reasons, PRT respectfully requests that the Commission grant this Petition for Waiver by extending the deadline for PRT to complete its audit until September 1, 2008.

Respectfully submitted,

*by: [Signature]*  
/s/ Walter Arroyo-Carrasquillo

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